United Nations CRC/C/OPAC/MDG/Q/1

Convention on the Rights of the Child

Distr.: General
3 March 2015
English
Original: French
English, French and Spanish only

Committee on the Rights of the Child
Seventieth session
14 September–2 October 2015
Item 4 of the provisional agenda
Consideration of reports by States parties

List of issues in relation to the report submitted by Madagascar under article 8, paragraph 1, of the Optional Protocol to the Convention on the Rights of the Child on the involvement of children in armed conflict

The State party is requested to submit in writing additional, updated information (15 pages maximum), if possible before 15 June 2015.

The Committee may take up any aspects of the children's rights set out in the Optional Protocol during the dialogue with the State party.

1. Please indicate which bodies are responsible for the application of the Optional Protocol and the mechanisms introduced to ensure coordination between such institutions or bodies, including at the regional and local levels.

2. Aside from the training mentioned in paragraphs 19 to 28 of the State party report (CRC/C/OPAC/MDG/1), please indicate whether professionals responsible for applying the Optional Protocol, in particular the military, the police and immigration officials, receive training on the provisions of the Optional Protocol. Please also provide information on any current public education and awareness-raising programmes concerning the provisions of the Optional Protocol.

3. With regard to paragraph 85 of the State party report, please explain whether measures have been taken to include courses on the provisions of the Convention on the Rights of the Child and Optional Protocol thereto in the civil and military curricula of the various schools run by the armed forces. Please also describe the training given to instructors regarding the provisions of the Optional Protocol.

4. With regard to paragraphs 41 to 48 of the State party report, please provide updated information on the establishment of a human rights institution along the lines of the Paris Principles. Please also provide details of its mandate and budget, and indicate whether it includes a specific mechanism devoted to children. Furthermore, please outline the role of that mechanism in monitoring the application of the Optional Protocol, indicating, in particular, whether it can receive and inquire into complaints submitted by children or on their behalf concerning violations of any of the rights guaranteed by the Optional Protocol.

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5. Please provide information on the steps taken to implement the recommendation made to the State party by the Committee, following its consideration of the combined third and fourth periodic reports, concerning the low rates of birth registration (CRC/C/MDG/CO/3-4, para. 34), with a view to ensuring the registration of all children at birth. Please also indicate whether there is a general method of age verification, in order to effectively prevent the enrolment and use of children by the armed forces.

6. Please indicate whether, at the various schools run by the armed forces and the Fianarantsoa National Military College, Sekoly Miaramilam-Pirenena, children are trained to handle arms. Please provide data, disaggregated by age, sex, nationality, ethnic origin, urban or rural area and socioeconomic status, on students under 18 years of age attending such establishments. Please indicate whether students have the right to leave them without notice without embarking on a military career. Please also state whether such students have access to a mechanism that allows them to submit complaints in complete confidence, in particular in the cases mentioned in paragraph 89 of the State party report.

7. With regard to paragraphs 101 to 107 of the State party report, please indicate whether any measures have been taken to explicitly criminalize the enrolment and use of children in the armed forces. Please also state whether the enrolment and use of children in non-State armed groups are prohibited practices in the State party subject to criminal sanctions. With regard to paragraph 108 of the State party report, please indicate whether the recruitment of children under the age of 15 is expressly recognized as a war crime in the legislation of the State party.

8. Regarding paragraphs 110 to 112 of the State party report, please give details of the current progress of reforms aimed at recognizing the criminal liability of legal persons for offences listed in the Optional Protocol.

9. Please indicate whether the national courts are able to establish their jurisdiction over all the offences covered by the Optional Protocol, including those perpetrated outside the territory of the State party by or against a national or resident of the State party and, if that is the case, please give details of the relevant legislation.

10. Please provide information on demobilization, disarmament and reintegration programmes for children incorporated in armed groups called *dahalos* and on the number of children involved.

11. Please indicate whether national legislation prohibits the trade and export of arms, including small arms and light weapons, to countries where children are enrolled or used in armed conflict, as well as the provision of military assistance to such countries.